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FROM THE AMBASSADOR

E.O. 12958: DECL: 11/08/2017

TAGS: APER CVIS PREF I2

SUBJECT: SPECIAL IMMIGRANT VISA: PROBLEM OF NARROW  
DEFINITION OF COM AUTHORITY AND CONTRACTORS

Classified By: Ambassador Ryan C. Crocker for reasons 1.4(d)

¶1. (C) The majority of our locally-employed PRT staff were hired as third-party contractors. Congress passed Public Law 110-36 with the intent to provide up to 500 SIVs for Iraqi and Afghan translators and interpreters working for the U.S. military and under Chief of Mission (COM) authority. I understand the Department has made the determination that third-party contractors do not/not come under COM authority and cannot be recommended under that law. However, that is in contradiction to DoD contract employees performing the same tasks who do qualify under the same legislation.

¶2. (C) While PRT locally-employed staff (LES) may receive compensation from a USG contracting firm, the PRT team leader directly supervises, tasks, and evaluates LES staff. The contracting firm essentially serves as a payment mechanism. There are approximately 150 LES contract employees serving on PRTs throughout Iraq. Many of these LES hired via contractors have served as translators for CPA offices or PRTs for years at great risk, but still remain ineligible for SIVs on the basis of the Department's interpretation.

¶3. (C) I urge the Department to determine that the current definition of COM locally employed staff include PRT locally employed staff paid through a contract mechanism, such that they may apply for the current SIV program immediately. Our PRT locally employed staff are brave individuals, who risk their lives every day to help us. We need to fulfill our moral obligation to provide a secure future for our courageous Iraqi colleagues. If DoD can make this determination, we should be able to do likewise.

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